

PINNOCK & WAKEFIELD, A.P.C.

Michelle L. Wakefield, Esq. Bar #: 200424
David C. Wakefield, Esq. Bar #: 185736
3033 Fifth Avenue, Suite 410
San Diego, CA 92103
Telephone: (619) 858-3671
Facsimile: (619) 858-3646

Attorneys for Plaintiffs

John Nadolenco, Esq. (SBN 181128)
Bronwyn F. Pollock, Esq. (SBN 210912)
Mayer Brown LLP
350 S. Grand Ave., 25th Floor
Los Angeles, CA 90071
Telephone: (213) 229-9500
Facsimile: (213) 625-0248
E-mail Address: Bpollock@mayerbrown.com

ATTORNEYS FOR DEFENDANT COURTYARD HOLDINGS, LP

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

**OUTERBRIDGE ACCESS ASSOCIATION,
SUING ON BEHALF OF DIANE CROSS;
and DIANE CROSS, An Individual,**

Plaintiffs,

v.

**MARIE CALLENDER'S PIE SHOPS, INC.
d.b.a. MARIE CALLENDER'S #254;
PACIFIC BAGELS, LLC d.b.a.
BRUEGGARS BAGELS; COURTYARD
HOLDINGS, LP; AND DOES 1 THROUGH
10, Inclusive,**

Defendants.

Case No.: 07cv2129 BTM (AJB)

NOTICE OF SETTLEMENT

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1 **THE PLAINTIFFS AND DEFENDANT COURTYARD HOLDINGS, LP HEREBY**
2 **NOTIFY** the Court that Plaintiffs have reached settlement with
3 Defendant COURTYARD HOLDINGS, LP in this matter. Counsel for
4 Defendant COURTYARD HOLDINGS, LP and Plaintiffs are in the
5 process of preparing a written Release and Settlement Agreement
6 and a Joint Motion to Dismiss only Defendant COURTYARD HOLDINGS,
7 LP.

8 The parties anticipate a Joint Motion to Dismiss only
9 Defendant COURTYARD HOLDINGS, LP shall be filed on or before
10 March 7, 2008, on the condition that Plaintiffs and Defendant
11 execute a Release and Settlement Agreement mutually agreeable to
12 Plaintiffs and Defendant.

13
14 Respectfully submitted,

15
16 Dated: February 20, 2008

PINNOCK & WAKEFIELD, A.P.C.

17
18 By: s/ Michelle L. Wakefield
19 Attorney for Plaintiffs
20 E-mail: MichelleWakefield@
PinnockWakefieldLaw.com

21
22 Dated: February 20, 2008

MAYER BROWN LLP

23
24 By: s/_Bronwyn F. Pollock
25 Bronwyn F. Pollock
26 Attorneys for Defendant
COURTYARD HOLDINGS, LP
E-mail:
Bpollock@mayerbrown.com

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**UNITED STATES DISTRICT COURT
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**OUTERBRIDGE ACCESS ASSOCIATION,
SUING ON BEHALF OF DIANE CROSS;
and DIANE CROSS, An Individual,**

Plaintiffs,

v.

**MARIE CALLENDER'S PIE SHOPS,
INC. d.b.a. MARIE CALLENDER'S
#254; PACIFIC BAGELS, LLC d.b.a.
BRUEGGARS BAGELS; COURTYARD
HOLDINGS, LP; PSS PARTNERS, LLC;
AND DOES 1 THROUGH 10,
Inclusive,**

Defendants.

Case No.: 07cv2129 BTM (AJB)

PROOF OF SERVICE VIA ECF

[Fed.R.Civ.P. 6(e)]

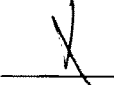
STATE OF CALIFORNIA, COUNTY OF SAN DIEGO

I am employed in the County of San Diego, State of
California. I am over the age of 18 and not a party to the
within action; my business address is 3033 Fifth Avenue, Suite
410, San Diego, California, 92103.

On this date, I served the following document(s) described
as **NOTICE OF SETTLEMENT** on all Defendants in this action:

Lisa A. Wegner, Esq.
Call Jensen & Ferrell
610 Newport Center Drive, #700
Newport Beach, CA 92660
Telephone: (949) 717-3000
Facsimile: (949) 717-3100
E-mail Address: lwegner@calljensen.com
ATTORNEY FOR DEFENDANT MARIE CALLENDER'S PIE SHOPS, INC. d.b.a.
MARIE CALLENDER'S #254

Bronwyn F. Pollock
Mayer Brown LLP
350 S. Grand Ave., 25th Floor
Los Angeles, CA 90071
Telephone: (213) 229-9500
Facsimile: (213) 625-0248
E-mail Address: Bpollock@mayerbrown.com
ATTORNEY FOR DEFENDANT COURTYARD HOLDINGS, LP

 BY ELECTRONIC SERVICE TRANSMISSION via the United
States District Court, Southern Division of California, Case
Management/Electronic Case Files, Filing System. I served a copy
of the above listed document(s) to the e-mail addresses of the
addressee(s) by use of email as identified and maintained
therein.

AND/OR BY:

_____ placing _____ the original _____ a true copy
thereof enclosed in sealed enveloped addressed as stated above.

_____ BY MAIL: I am readily familiar with the firm's
practice of collection and processing correspondence for mailing.

1 Under that practice, it would be deposited with the U.S. Postal
2 Service on the same day with postage thereon fully prepaid,
3 mailed at San Diego, California, in the ordinary course of
4 business. I am aware that on motion of the party served, service
5 is presumed invalid if postal cancellation date or postage meter
6 date is more than one day after date of deposit for mailing in
7 affidavit.

8
9 **BY FACSIMILE TRANSMISSION:** From FAX No. (619) 858-3646
10 to the facsimile numbers listed above on the mailing list. The
11 facsimile machine I used complied with Rule 6 (e), and no error
12 was reported by the machine.

13
14 X **FEDERAL:** I declare that I am employed in the office
15 of a member of the Bar of this Court, at whose direction this
16 service was made.

17
18 **EXECUTED** on February 21, 2008, at San Diego, California.

19
20
21 
22 Angela Payne